



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

November 9, 2020

By ECF

The Honorable Edgardo Ramos
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

MEMO ENDORSED, last page.

Re: *United States v. Fernando Rafael Ruiz*, 20 Cr. 185 (ER)

Dear Judge Ramos:

The Government respectfully submits this letter on behalf of both parties to request that the Court enter an order reaffirming the defendant's conditions of release, so that a new bond may be issued by the Clerk's Office in this Court and the defendant may re-execute the bond.

As the Court may recall, the defendant in this case was arrested on or about March 10, 2020, in the Western District of Texas. On or about March 16, 2020, the defendant was ordered released by the Honorable Miguel A. Torres, United States Magistrate Judge for the Western District of Texas, pursuant to the following conditions:

1. Defendant shall file an appearance bond in the amount of \$30,000.00, which shall be secured by a deposit of cash or a corporate surety appearance bond;
2. Defendant shall report to the Pretrial Services Office as directed;
3. Defendant shall not commit a federal, state, or local crime during the pendency of this cause;
4. Defendant shall reside and comply with residential requirements or restrictions at a location approved by Pretrial Services, and shall not relocate or depart El Paso County, Texas, absent prior permission from Pretrial Services;
5. Defendant shall remain under the supervision of Pretrial Services during the pendency of this cause;

6. Without Court authorization, but with prior consent of the Pretrial Services, the defendant may travel to and from the Southern District of New York and El Paso, County, Texas,¹ for purposes of this case only;
7. Defendant shall not travel to Mexico or any other foreign country, and no permission for such travel will be granted;
8. Defendant shall appear at all proceedings as required and shall surrender, as directed, for service of any sentence imposed;
9. Defendant shall avoid any and all association or contact, either directly or indirectly, with any potential witness(es) who may testify regarding the crime with which the defendant is charged and/or with any co-defendant(s);
10. Defendant shall avoid any and all association or contact, either directly or indirectly, with any victim(s) of the crime with which the defendant is charged or any of the victims' immediate family members;
11. Defendant shall surrender any passport and/or travel authorization documents, to Pretrial Services, and shall not obtain any further passport or travel documents without prior approval of Pretrial Services;
12. Defendant shall not possess, or otherwise have custody or control of a firearm, destructive device, or other dangerous weapon;
13. Defendant shall obtain and maintain gainful employment under the direction of Pretrial Services;
14. Defendant shall not use any narcotic drug or other controlled substance, as defined in Section 102 of the Controlled Substances Act (21 U.S.C. § 802), unless, prior to such use, the defendant has obtained a prescription from a licensed medical practitioner;
15. Defendant shall refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing which is required as a condition of release;
16. Defendant shall participate in any and all evaluation and/or treatment for substance abuse as directed by Pretrial Services;
17. Defendant shall submit to any method of testing required by Pretrial Services for determining whether the defendant is using a prohibited substance,

¹ The parties understand this condition also to permit travel to locations in between those destinations as necessary to facilitate such travel.

including but not limited to, urine testing, wearing of a sweat patch, remote alcohol testing or any other form of screening or testing;

18. Defendant shall refrain from the excessive use of alcohol;

19. Defendant shall report, as soon as possible, to Pretrial Services any contact with any law enforcement personnel, including, but not limited to, any arrest, questioning, or traffic stop.

On or about April 14, 2020, through counsel, the defendant waived his personal appearance in this Court for the purpose of arraignment and entered a plea of not guilty.² No changes were made to the defendant's bail conditions at that time, but the parties understand that an order is required to generate a new bond to be signed by the defendant. The Government further understands that the defendant continues to abide by the above conditions under the supervision of Pretrial Services.

Accordingly, the parties respectfully request that the Court endorse this letter and reaffirm the above conditions, so that the Clerk's Office may prepare a new bond for re-execution by the defendant.

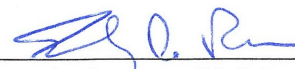
Respectfully submitted,

AUDREY STRAUSS
Acting United States Attorney
Southern District of New York

By: Jarrod L. Schaeffer
Jarrod Schaeffer
Assistant United States Attorney
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cc: Counsel of Record (via ECF)

SO ORDERED.



Edgardo Ramos, U.S.D.J.
Dated: 11/12/2020
New York, New York

² On or about April 16, 2020, the defendant filed an affidavit confirming his waiver of his personal appearance and his entering of a not guilty plea. (See ECF No. 11.)